

29 NOV 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

James C. Lydon
100 Daingerfield Road
Suite 100
Alexandria, Va 22314

In re Application of :
NURMI, et al. :
Application No.: 10/579,137 :
PCT No.: PCT/FI04/00678 : DECISION ON PETITION
Int. Filing Date: 15 November 2004 :
Priority Date: 18 November 2003 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: TUR-181 :
For: NUCLEIC ACID AMPLIFICATION ASSAY :
AND ARRANGEMENT THEREOF :

The petition to revive under 37 CFR 1.137(b) filed 05 September 2007 in the above-captioned application is hereby **DISMISSED AS MOOT** as follows:

On 07 February 2007, applicant was mailed a NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES (Form PCT/DO/EO/922) informing applicant that a copy of the "Sequence Listing" in computer readable form which complied with 37 CFR 1.821-1.825 was required. Applicant was afforded two months to file a proper response and advised that this period could be extended pursuant to 37 CFR 1.136(a).

On 05 September 2007, applicant filed the present petition to revive. Applicant is advised that the above-captioned application was not abandoned as of 05 September 2007 as the five-month extendable period of reply did not expire until 07 September 2007. A review of applicant's submission shows that a proper reply has been submitted. Applicant has provided a payment of \$1500.00. This payment will be applied to the five-month extension of time fee payment and the remaining \$730.00 will be charged to deposit account number 50-1258.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for continued processing, including, if proper, the mailing of a "Notification of Acceptance (Form PCT/DO/EO/903).

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459

11/29/2007 SBASHEIR 00000003 501258 10579137
Sale Ref: 00000003 DAH: 501258 10579137
01 FC:1255 730.00 DA 1500.00 OP